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In re Application of
Sode

Application No.: 10/520,126

PCT No.: PCT/JP03/08418

Int. Filing Date: 02 July 2003

Priority Date: 04 July 2002

Attorney Docket No.: 3691-0114PUS1

For: Glucose Dehydrogenase

DECISION

This is in response to the "Request For Corrected Notification of Acceptance" filed on 10 November 2008.

BACKGROUND

This international application was filed on 02 July 2003, claimed an earliest priority date of 04 July 2002, and designated the U.S. The International Bureau transmitted a copy of the published international application to the USPTO on 15 January 2004. The 30 month time period for paying the basic national fee in the United States expired at midnight on 04 January 2005. Applicant filed *inter alia* the basic national fee on 03 January 2005.

On 01 August 2005, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicant, requiring additional fees as well as an oath or declaration compliant with 37 CFR 1.497(a) and (b).

On 03 October 2005, applicant filed a response, including a declaration.

On 12 April 2006 and 01 August 2006, Notices of Acceptance (Form PCT/DO/EO/903) were mailed to applicant, indicating a date under 35 U.S.C. 371(c)(1), (2) and (4) of "10/04/2005."

DISCUSSION

Petitioner argues that the correct date of this application under 35 U.S.C. 371(c)(1), (2) and (4) is 03 October 2005, rather than 04 October 2005 as indicated on the Notices of Acceptance (Forms PCT/DO/EO/903). Petitioner cites postcard evidence in support of this position. A review of the application file reveals that the correspondence in question was date stamped as received by the USPTO on 03 October 2005. Therefore, the Forms PCT/DO/EO/903 mailed on 12 April 2006 and 01 August 2006 were issued in error, and they are hereby **VACATED**.

DECISION

The request is **GRANTED**.

This application is being returned to the Office of Patent Application Processing for continued processing, including the preparation and mailing of a corrected Filing Receipt and a corrected Notice of Acceptance (Form PCT/DO/EO/903). The date of this application under 35 U.S.C. 371(c)(1), (2) and (4) is **03 October 2005**.

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